



STAFF REPORT

TO: Environment and Planning Subcommittee

FROM: Carl Cheeseman, Co-Ordinator Compliance Monitoring

REFERENCE: C653

SUBJECT: **ANNUAL ENVIRONMENTAL INCIDENT REPORT- REPORT EP05/08/15** - Report prepared for 24 August 2005 Meeting

1. INTRODUCTION

This report, following a new format, will only be detailing environmental incidents and enforcement summarising the significant incidents, complaints and enforcement action that occurred or was undertaken by the Tasman District Councils Compliance – Monitoring Section over the period 1 July 2004 to 30 June 2005.

The intent of the report is to examine the number and nature of complaints received over this period on a regional and individual ward basis and assesses these against previous years in order to determine what activities may be adversely impacting in the district or require further focus. The other purpose of this report is to summarise all enforcement action undertaken by Council over the year and highlight significant environmental incidents.

The report does not cover the sections other function as compliance monitoring of resource consent and permitted activities as this is covered in the Annual Compliance Monitoring report for the same period which is due for publication shortly.

2. BRIEF OUTLINE OF THE TASMAN REGION

The district's administrative area extends from the Richmond Ranges in the east across to Golden Bay and the mountains of Kahurangi National park in the west and as far south as Shenandoah, approximately 30 kilometres from Springs Junction on State Highway 65. The district comprises 966,500 hectares of land of which approximately 64% is within public estate, 35% privately owned rural land and the remaining 1% urban (ref). Three national and one forest park reside either fully or partially within its boundaries. Tasman has an estimated population of 45,800 with the main townships being Richmond, Motueka, Takaka and Murchison although there are more than 30 small settlements scattered throughout the district many along the coastal margins. Recent studies show that while a large percentage of the population lives in the main towns of Richmond and Motueka, the coastal areas are experiencing high rates of population growth.

The district's topography is varied with much of it mountainous, steep or rolling with less than 12% flat, these areas being the plains of the Waimea and Motueka/Riwaka and the various river terraces. North-west Nelson including much of Takaka Valley has a Karst landscape. Much of the rolling hills in the central and Moutere hills sit on Pleistocene gravels known as the Moutere gravels. Occupying these and the recent gravels of the Waimea, Motueka and Takaka plains lie significant confined and unconfined aquifers vitally important to the region and its economy.

With average sunshine hours of 2400 per year, Tasman has a temperate climate. Annual rainfall varies between 850 mm in the Moutere to greater than 5500 mm in the Western ranges. With high sunshine and consistent rainfall, the district supports a broad range of horticultural and agricultural activities.

The district has a considerable length of coastline and the wide shallow Tasman and Golden Bays provide a rich coastal resource. Commercial fishers operate from a number of ports and a growing aquaculture industry is well established both in Tasman and Golden Bays. While the coastline contains a number of settlements much of it is privately owned rural or public land which provides opportunity for a broad range of recreational activities. Abel Tasman National Park for one is renowned worldwide for its kayaking and coastal walking tracks.

Rotoiti and Rotoroa lakes are significant water bodies within the district and due to their size and natural state are highly valued. The principal rivers include the Waimea, Motueka, Buller, Aorere and Takaka. The Buller and Motueka Rivers are both subject to conservation orders due to their significance. Waikoropupu Springs, part of the Takaka river catchment, is the largest freshwater spring in New Zealand and an important tourist attraction.

The internationally significant Farewell Spit, bordering Tasman Sea to the North of Golden Bay, bounds an internationally important coastal wetland that is home to nesting bird colonies including the gannet.

The district is heavily forested with 54% of the land area covered by indigenous forest and a further 10% in plantation forest. The most important sites for native wildlife in the district are the extensive estuarine wetlands of Tasman Bay, Golden Bay and the Whanganui Inlet and the forested mountains of the three national and one forest park. The vegetation forms of these areas are an important reservoir for forest birds with a limited national distribution, for example, kaka, yellow-crowned parakeet, great spotted kiwi, blue duck, falcon and robin.

3. THE STATUTORY FRAMEWORK AND ENVIRONMENTAL ENFORCEMENT

3.1 Statutory authority

Tasman District Council in its role as a unitary authority principally exercises its responsibilities for environmental enforcement under the Resource Management Act 1991, other acts including the Litter Act and the Local Government Act and amendments are also relied on for certain duties and functions.

The purpose of the Resource Management Act 1991 as defined in Section 5 of the Act is to promote the sustainable management of natural and physical resources. Section 30 and 31 of the Act states that regional and territorial authorities must give effect to the act in their region by providing certain functions and duties. Tasman District Council as a unitary council has the functions of both a regional council and a territorial authority. Its main functions are:

As a regional council (Section 30 of the Act):

- (a) control of land use in regard to soil conservation, water quantity and quality, natural hazards and hazardous substances;
- (b) control of activities (except fishing) in the coastal marine area;
- (c) control of taking, using, damming and diversion of water;
- (d) control of discharge of contaminants.

As a district council (Section 31 of the Act):

- (a) control of effects of land use, development and protection, including natural hazards and hazardous substances;
- (b) control of land subdivision;
- (c) control of noise emissions;
- (d) control of effects of activities on the surface of lakes and rivers.

In order to achieve these objectives the council has produced the Tasman Resource Policy Statement (TRPS) which provides the framework for resource management in the district and the Tasman Resource Management Plan (TRMP) which contains the methods and rules to ensure sustainable management of the natural and physical resources in its province.

3.2 Tasman District Councils Compliance –Monitoring Section

Guided by its regional policies and management plans Tasman District Council discharges its responsibilities through a dedicated Compliance Monitoring Section which includes the investigation of complaints and incidents.

Tasman District Councils Compliance-Monitoring Section was first established in 1999. At that stage it consisted of a newly appointed Co-ordinator with two staff based in Richmond and one part time officer in Motueka. Since then the section has expanded by two additional staff in the Richmond office.

While compliance-monitoring of resource consents and plan rules is the principal function of the section as part of its day to day duties it receives logs and responds to all environmental complaints. During normal working hours complaints are received and allocated to staff for follow up through the Co-ordinator Compliance-monitoring. Outside office hours the section maintains an environmental call roster staffed by the section and able to log and respond to complaints and incidents including emergencies at anytime.

4. COMPLAINTS

4.1 Statistics

In the year ended 30 June 2005 a total of 795 complaints were received by Council relating to a wide range of activities or incidents across the district. Overall this represented an increase of 75 or +8% on the same period last year and compared with previous years this current increase is in keeping with the upward trend that has been occurring in the district in recent times. Figure 1 displays the recent trend over the last six years. From this graph it is apparent that despite some fluctuations complaint numbers have nearly doubled over the period 1999 - 2005.

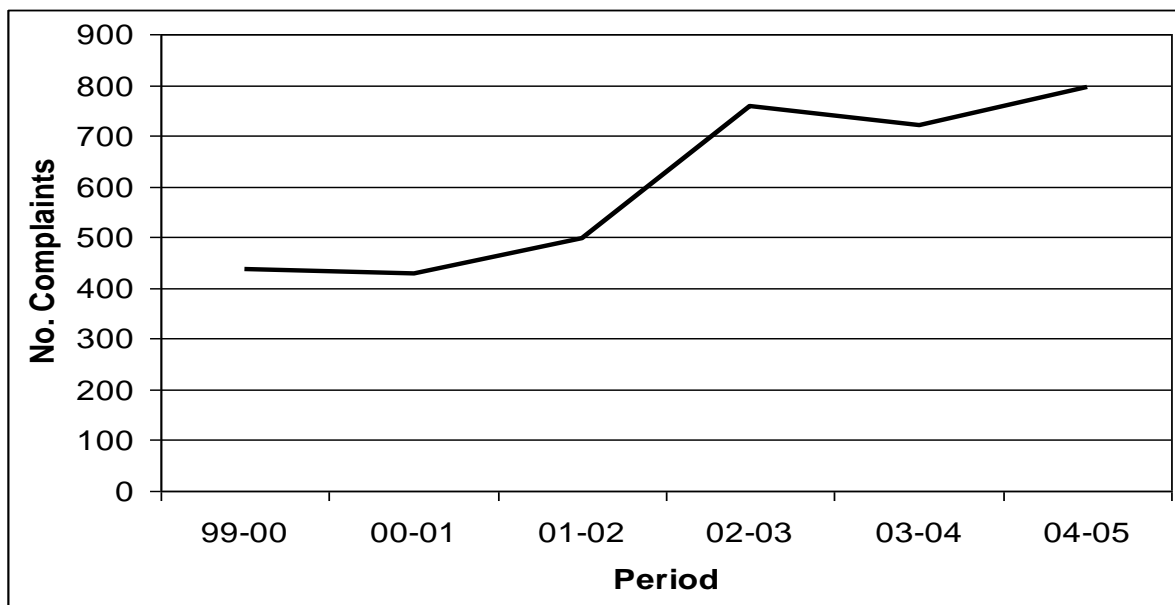


Figure 1. Trend in number of recorded complaints over last 6 years

As this graph does not have the ability to show whether any one type of activity is responsible for the increases the following table presents environmental complaints received during this period and classifies them into eight broad categories. Also included in this table is last years corresponding figures for comparison. For a more detailed breakdown of complaint type and numbers for this current period refer to appendix 1.

Table 1. Breakdown of complaint into broad categories

Complaint type	Total this period	Total last period	Variance %
Discharges to land, air, water	363	324	+12
Land use/land disturbance	235	141	+66
Water take – ground and surface	10	63	-530
Rivers/Lakes – structures/disturbances	8	3	-155
Coastal - structures/disturbances	12	11	+9
Rubbish - dumping	62	82	-32
Noise (RMA – machinery/animal)	41	65	-59
Other - including safety hazards	64	52	+23

Using the same categories as above and comparing figures for the last six years period as before the following is observed.

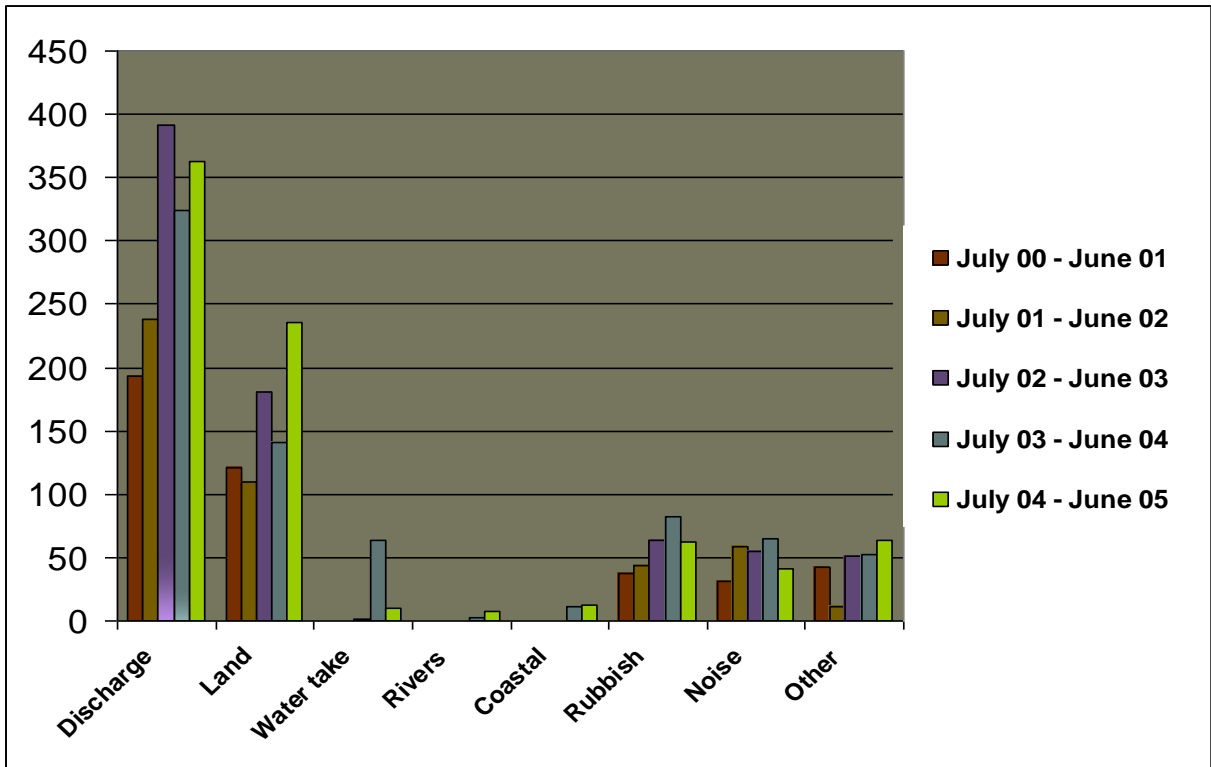


Figure 2. Complaint number by type over last six years.

From this graph it can be seen that discharges consistently represent the largest number of complaints in each of the six years shown and while numbers are less this period than in 2002 - 2003 they are consistently trending upwards and are a significant driver behind the districts annual total complaint numbers. Reintroducing Figure 1 now plotted with discharge complaints for the same period highlights this relationship.

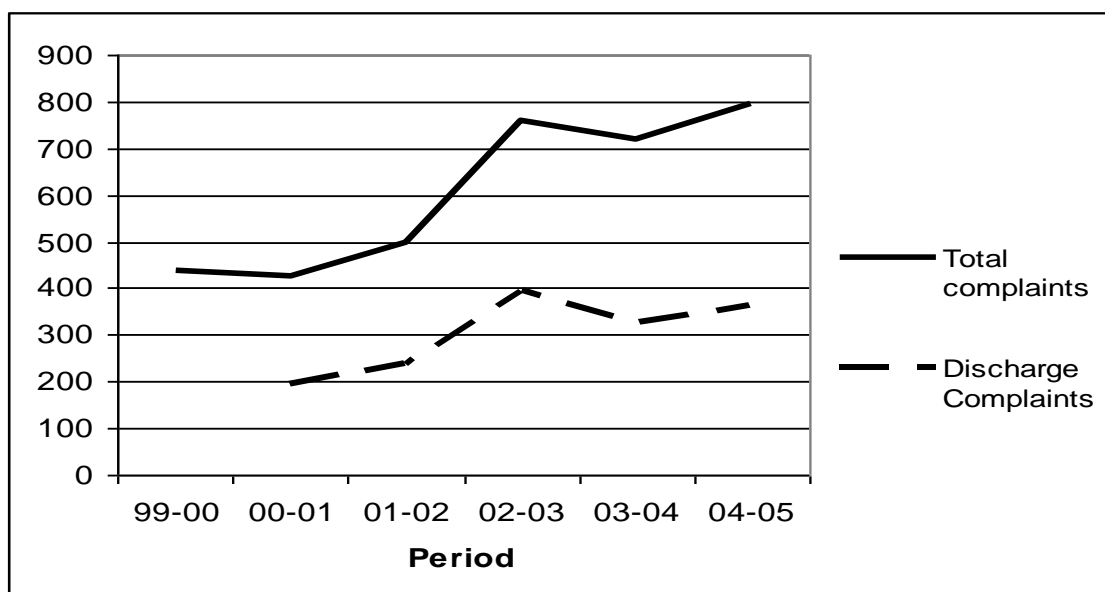


Figure 3. Total complaints and discharge complaints recorded for last six years

Discharge complaints are typically captured under one of four general classes based on the receiving environment. Under each of these general classes complaints are further subdivided into a sub class based on the nature of the discharge into that receiving environment. Table 2 shows the four general classes used and the number of complaints recorded under each class.

Table 2. General discharge classes based on the receiving environment

Discharge type	Complaint number
Coastal	10
Air	174
Land	101
Water	75

Discharges to air represent the largest complaint class in this period as it has in recent years at nearly 50% of all complaints received relating to a discharge. Making up by far the greatest component is smoke complaints principally from outdoor burning. Odours and spraydrift are also well represented with most odour complaints associated with a number of the districts community wastewater schemes most notably the Nelson Regional Sewerage Scheme at Bells Island and several commercial composting activities. Complaints associated with discharges to land were the next largest group, principally domestic sewerage from septic tanks, stormwater and the sub class 'discharges - other' comprising miscellaneous contaminant discharges such as offal, rubbish and other organic wastes. Discharges to water were of a similar pattern however in this group sediment discharge to water from land based activities such as subdivisions and other land use changes made up the miscellaneous 'other' sub class . Figure 4 displays the total number of discharge complaints received to each class and sub class.

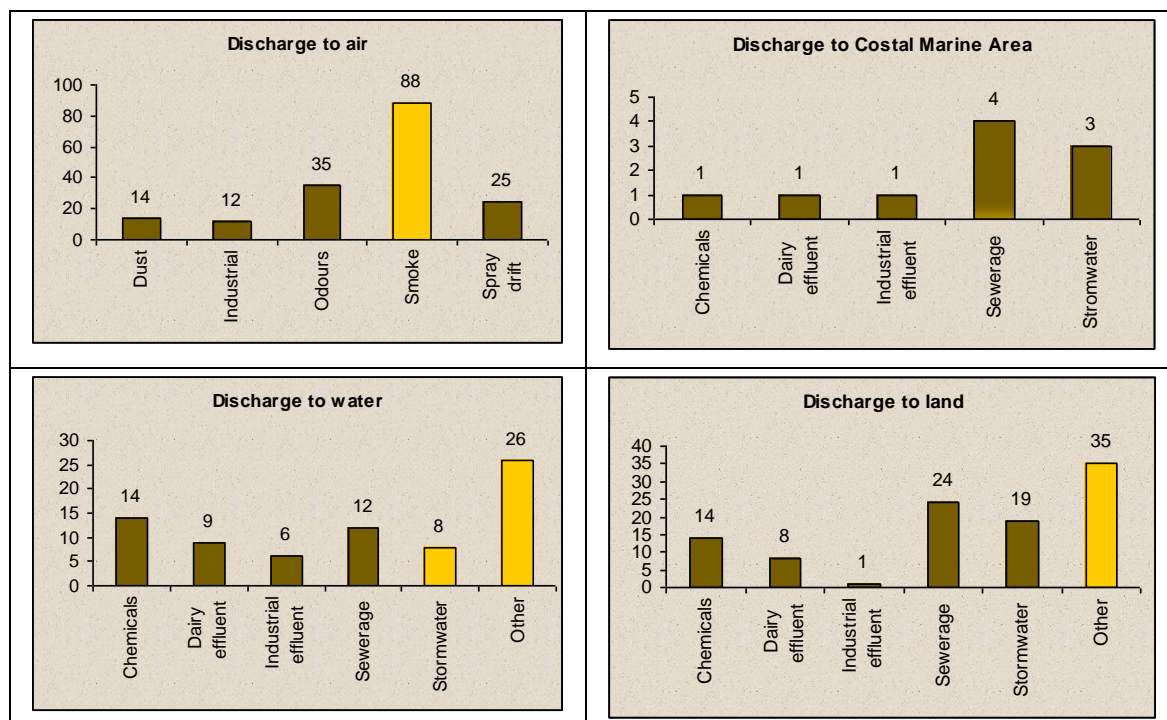


Figure 4. Total number of discharge complaints received to each class and sub class.

Discharges weren't the only driver behind a higher complaint total in the 04-05 period, land use/land disturbance had an increase of 94 which represented a 66% increase on last year. This increase was principally the result of complaints regarding activities breaching their resource consents, buildings and structures in breach of plan rules and the sub class 'other' capturing miscellaneous complaints. Figure 5. shows complaints recorded under each land use/disturbance class over the 04-05 period.

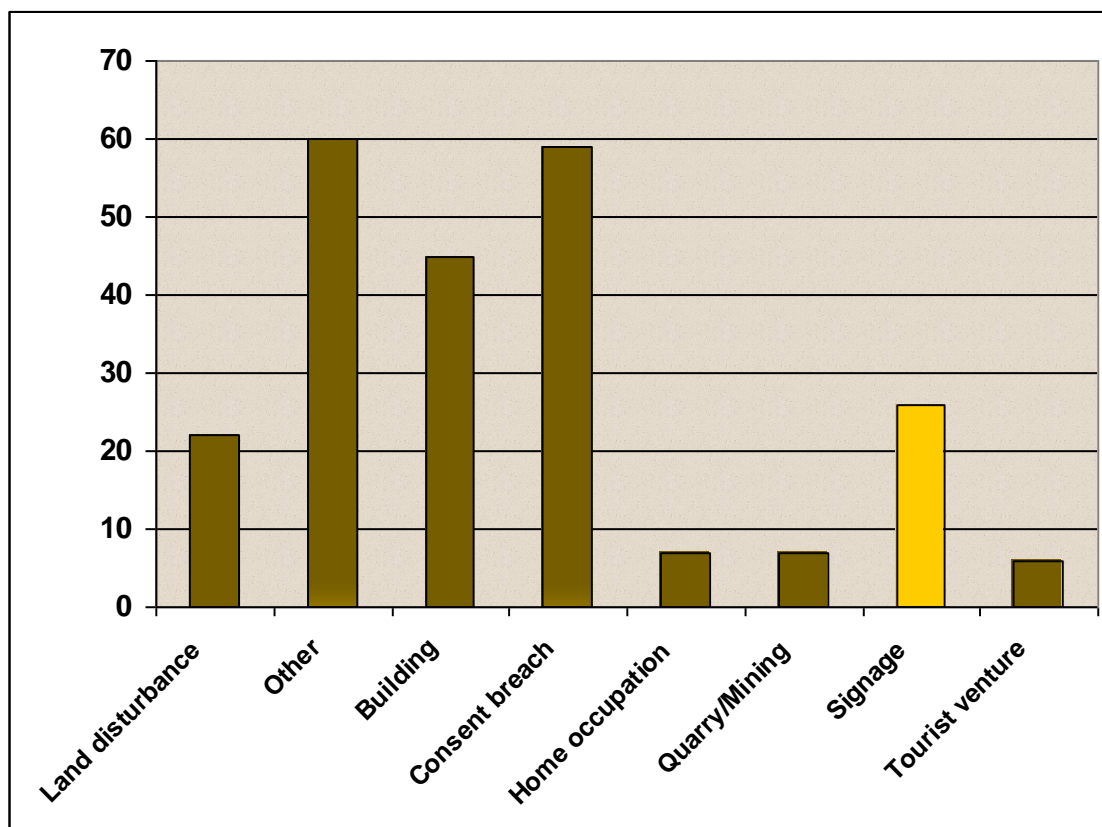


Figure 5.. Land use complaints recorded under their individual sub-class for the 2004/2005 period.

Activities associated with rivers and lakes displayed an increase of around 166% on last year however this represents an actual increase of five and this class generally represents less than 1% of total complaints in a year. This increase was mostly associated with gravel extraction and disturbance of the bed by stock.

Coastal disturbances saw an increase of one from last year's figure of 11.

Despite an increase in rubbish complaints in some individual wards this year overall the categories of rubbish, noise and water use all decreased in numbers this period at -32%, -58% and -530% respectively. The significant decline in complaints relating to water use was due to an abnormally high number received last season in the Waimea and Moutere water management zones.

4.2 Complaints by Districts Wards

Environmental complaints are not only recorded by their type but also by region based on the five district ward boundaries. Figure 6. displays the number and type of complaints that were recorded against individual wards over the period. From this both Motueka and Richmond wards with the larger urban areas recorded the greatest number of complaints at 31 and 36% of total respectively followed by the more rural Waimea/Moutere, Golden Bay and Lakes/Murchison wards. For a detailed breakdown of complaints for all wards refer to appendix 2.

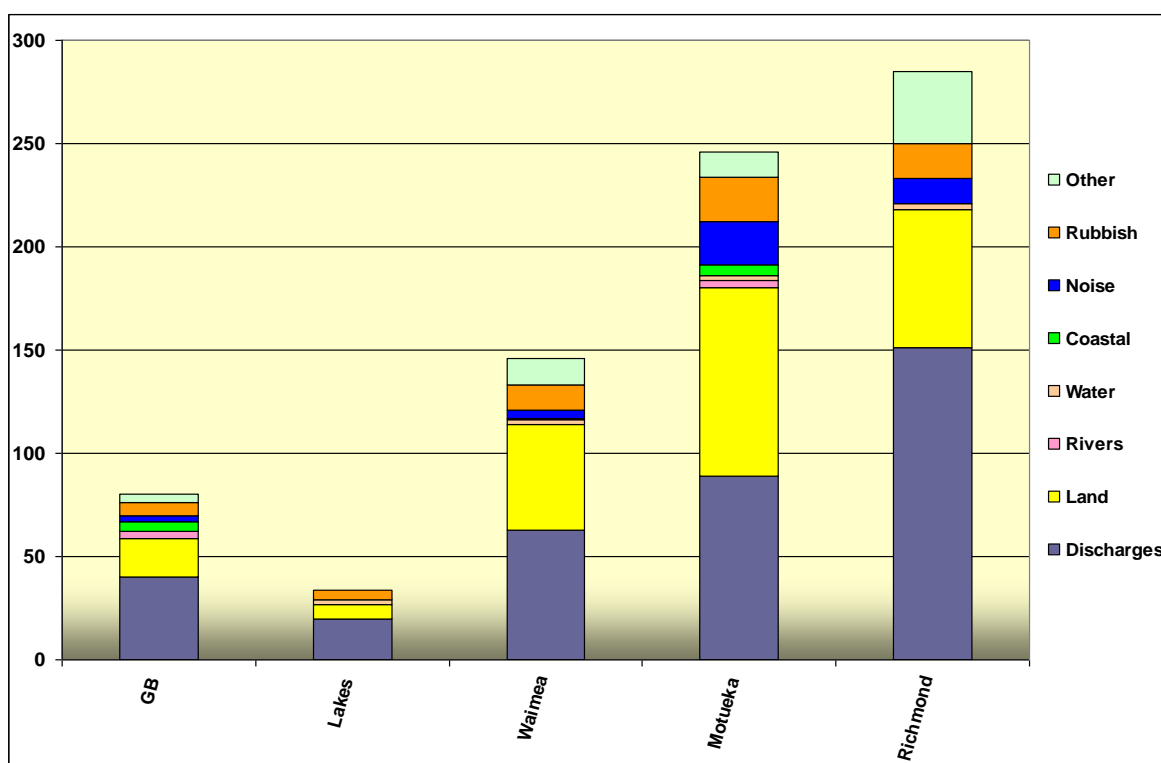


Figure 6. Breakdown of complaints by category and region.

4.2.1 Richmond Ward

While this is the smallest ward geographically Richmond has the largest population of all the wards with an estimated 14,650 predominantly urban inhabitants in June 2004. It also has large commercial and industrial zones with a range of manufacturing and processing represented. Outside these zones the remainder of the ward is a mix of agricultural and horticultural activities interspersed with rural residential properties.

Richmond recorded a total of 280 complaints over the period of which 53% fell in the category of discharges. Within this, discharges to air were the predominant group, principally smoke associated with outdoor burning and some industrial stack discharges. Odour complaints from Bells Island sewerage scheme, several commercial composting activities and some small domestic wastewater systems were also contributors to the numbers. Land use was prominent typically through breaches of resource consent and buildings and structures in breach of the plan. Also well represented in this ward were complaints of rubbish dumping along the Waimea River and unkempt sections which presented fire hazards, these were captured under the class 'other'.

Table 3. Breakdown of the complaints received for the Richmond Ward.

Complaint type	Number
Discharges - land/air/water	148
Land use/disturbance	64
Rivers/Lakes	1
Water use	3
Coastal disturbance/structures	1
Noise (RMA)	12
Rubbish	17
Other	34
Total	285

Compared to last year the level of complaints in the ward has increased by 41, a variance of +17%. Generally increases in the ward are in the areas of discharges and land which are up around 28% and 34% respectively however rubbish complaints increased around 90%.

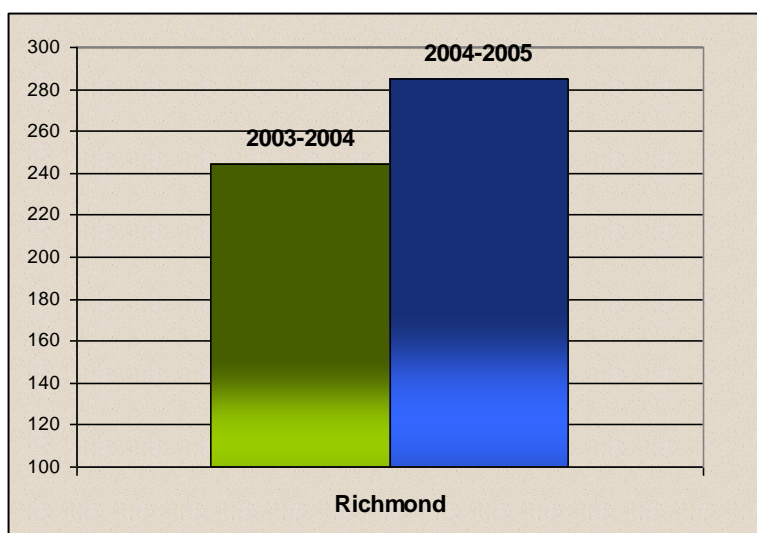


Figure 7. Complaint trend for Richmond ward

4.2.2 Motueka Ward

Motueka ward is the next smallest ward by area. Like Richmond it has a large urban population in the township of Motueka and has a number of smaller coastal and inland settlements. Motueka also has a significant commercial and industrial area including a port area and large areas of horticulture are also a feature of this ward. As at June 2004 it had an estimated population of 11,400.

Motueka recorded 246 complaints over the period with discharges and land activities roughly equal in highest numbers for an individual group. Smoke complaints from outdoor burning represented the largest type for discharges and a typical mix of land use activities made up the bulk of the land use complaints. Rubbish dumping was also highly represented in this ward mostly associated with dumping on the banks of the Motueka River particularly the lower reaches.

Table 4. . Breakdown of the complaints received for the Motueka Ward.

Complaint type	Number
Discharges – land/air/water	86
Land use/disturbance	90
Rivers/Lakes	5
Water use	2
Coastal disturbance/structures	5
Noise (RMA)	21
Rubbish	22
Other	11
Total	246

Compared to last year the level of complaints in the ward has increased by 115, a variance of +88%. Generally, increases in the ward are in the areas of discharges, up 43% and land use/disturbance which had a significant increase of 131% on last years figures. Showing a Similar trend to Richmond, rubbish complaints in this ward increased from 4 to 22 an increase of 450%.

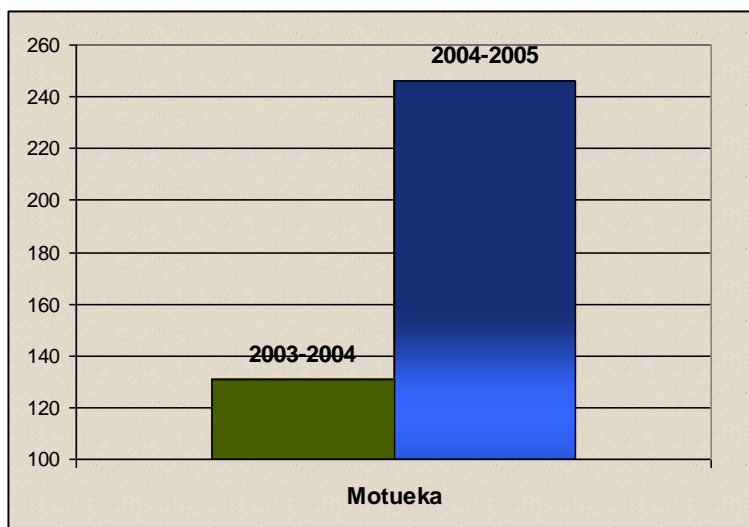


Figure 8. Complaint trend for Motueka ward

4.2.3 Waimea/Moutere Ward

Waimea/Moutere is a large predominantly rural ward with a number of settlements along the coastal areas of the Waimea inlet or State Highway 6 south of Richmond. As at June 2004 the ward had an estimated population of 11,950.

Waimea/Moutere recorded 143 complaints over the period with discharges featuring highly at 42%. Of these the predominant complaint was smoke from outdoor burning followed by a number of spray drift and domestic sewerage complaints from failed septic tanks. Land use was typically spread across a number of types most notably signage, consent breaches and those falling under the general “other” class.

Table 5 Complaints for Waimea/Moutere Ward

Complaint type	Number
Discharges	60
Land use/disturbance	51
Rivers/Lakes	0
Water use	2
Coastal disturbance/structures	1
Noise (RMA)	4
Rubbish	12
Other	13
Total	143

Compared to last year the level of complaints in the ward has decreased by 7, a variance of -5%. This is the only ward that showed a decrease in complaint numbers for this period. The principal decline in numbers this period is the result of a fall in complaints relating to noise and water takes.

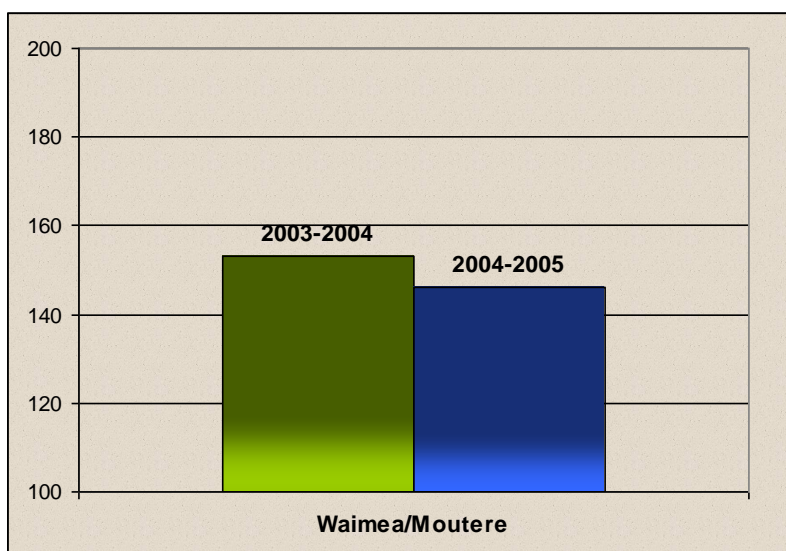


Figure 9 Complaint trend for Waimea/Moutere Ward

4.2.4 Lakes/Murchison Ward

Lakes/Murchison ward is the largest ward in the district and is predominantly rural with large tracts of public land in the Nelson Lakes and Kahurangi National parks. Dairying, beef, sheep and forestry are the main land use activities occupying around 60% of the area. As at June 2004 the population of the ward was estimated at 2,670.

Lakes/Murchison ward recorded 35 complaints this period, of which discharges were by far the most common form of complaint (57%). No one particular type of discharge featured more prominently than the others in this class with air, land and water discharges all featured. Five rubbish complaints associated with dumping were recorded, most associated with the Buller River.

Table 6 Complaints for Lakes/Murchison Ward

Complaint type	Number
Discharges	20
Land use/disturbance	7
Rivers/Lakes	0
Water use	2
Coastal disturbance/structures	0
Noise (RMA)	1
Rubbish	5
Other	0
Total	35

Compared to last year the number of complaints in this ward have increased by 10 (+46%). Discharges were the principal group responsible for this increase up 50%.

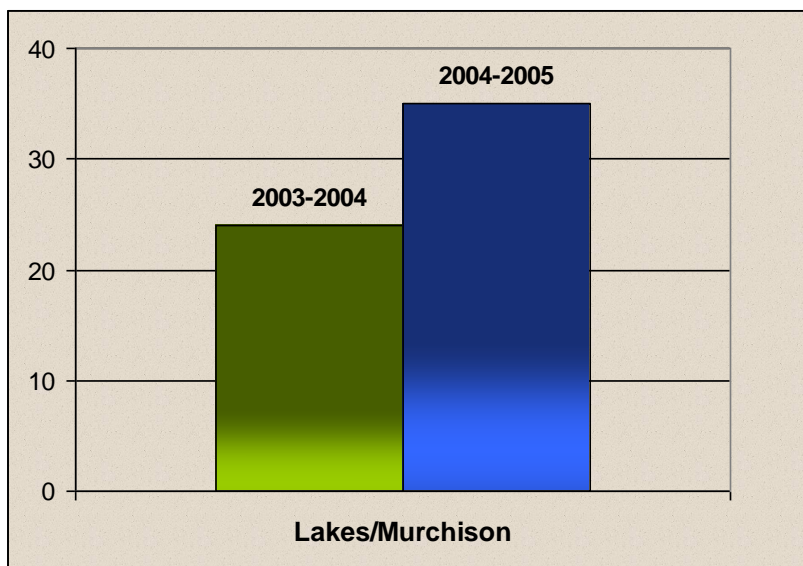


Figure 10 Complaint trend for Lakes/Murchison ward

4.2.5 Golden Bay Ward

Golden Bay ward is a large rural ward with large areas in grassland (private) or indigenous forest (Kahurangi National Park). The ward has a considerable coastline with a large number of coastal settlements. Dairy farming occupies a considerable area of the rural landscape. As at June 2004 the population was estimated at 5,180.

Golden Bay ward recorded 80 complaints this period and like the other wards discharges were the most common form of complaint. Of these 39 complaints illegal discharges to water were the principal complaint type and most notably dairy effluent, sewerage and those classed as 'other' i.e. sediment. Following this discharges to air were the other common complaint notably smoke and odour.

Table 7 Complaints for Golden Bay ward

Complaint type	Number
Discharges	39
Land use/disturbance	19
Rivers/Lakes	3
Water use	1
Coastal disturbance/structures	5
Noise (RMA)	3
Rubbish	6
Other	4
Total	80

Compared to last year the level of complaints within this ward have increased by 19 (+31%). Increases are across all categories with no one type standing out.

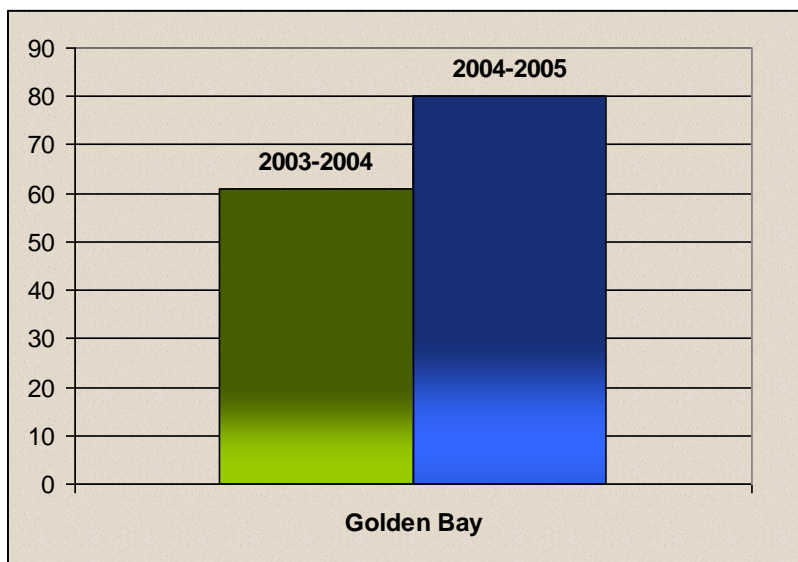


Figure 11 Complaint trend for Golden Bay ward.

5. ENFORCEMENT

5.1 Abatement Notices Issued

An abatement notice is a legal document prescribed under the RMA that allows council the ability to prohibit an individual undertaking an activity or cease an activity being undertaken that contravenes or is likely to contravene the act, a regulation, or any rule in a plan or resource consent, or alternatively is likely to be obnoxious, dangerous or objectionable to the extent that it is or is likely to have an adverse effect on the environment.

Further to this the notice provides Council with the ability to require an individual to do something that is necessary to ensure compliance with the act, a regulation, rule in a plan or resource consent and is also necessary to avoid, remedy or mitigate an actual or likely adverse effect on the environment.

For the period July 04 to June 05 Council issued 44 abatement notices for a broad range of activities breaching district or regional plan rules or resources consents.

Table 8 Abatement notices issued

Recipient	Location	Date	Reason for Notice	Action Required	Outcome
Individual	Upper Moutere	12.07.04	Non complying discharge of domestic wastewater (longdrop)	Cease the discharge	complied
Company	Richmond	12.07.04	Failure to avoid remedy mitigate actual or potential adverse effect (fuel facility)	Cease operation of site until authorised	Complied. Fuel company upgrade
Individual	Upper Moutere	21.07.04	Unauthorised structure in bed of stream	Remove the structure	Complied.
Company*	Richmond	23.07.04	Unauthorised discharge of wastewater in breach of consent	Cease the discharge and comply with consent conditions	Complied. Variation to consent also granted
Company*	Richmond	23.07.04	Unauthorised discharge of wastewater in breach of consent	Cease the discharge and comply with consent conditions	Complied. Variation to consent also granted
Individual	Riwaka	26.07.04	Non complying discharge of domestic wastewater (septic tank)	Cease the non complying discharge	complied
Dairy farm	Takaka	24.08.04	Discharge of untreated animal effluent where it may enter water (stand-off pad)	Cease unauthorised discharge by connecting to farms oxidation ponds	Fully complied
Company	Tapawera	03.09.04	Failure to avoid remedy mitigate actual or potential adverse effect (waste collection)	Cease the non complying activity unless authorised	Complied. Activity stopped

Recipient	Location	Date	Reason for Notice	Action Required	Outcome
Individual	Takaka	10.09.04	Unauthorised structure within CMA (rock wall)	Remove structure and reinstate foreshore.	Notice appealed. Resolved in mediation
Company	Richmond	15.09.04	Unauthorised discharge of stormwater	Cease the discharge	Complied
Individual	Motueka	27.10.04	Non complying discharge of domestic wastewater	Cease non complying discharge	Partial compliance.
Company	Takaka	28.10.04	Breach of consent condition. Failure to rehabilitate site	Comply with consent conditions and undertake remedial work	Complied. On going monitoring.
Company	Richmond	14.10.04	Breach of Regional Plan permitted activity rule (burning transported material)	Cease the non complying activity and remove existing waste	Complied
Farm	Collingwood	19.10.04	Unauthorised discharge of contaminants where may enter water (offal dump)	Cease the activity and remove existing carcasses	Complied
Orchard	Mapua	21.10.04	Non complying discharge of domestic wastewater (septic tank)	Cease non complying discharge	Complied
Dairy farm**	Tutaki	03.11.04	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	Complied.
Company	Richmond	01.12.04	Unauthorised discharge of contaminant in breach of consent (offal)	Cease unauthorised discharge and comply with conditions of consent	Complied

Recipient	Location	Date	Reason for Notice	Action Required	Outcome
Dairy farmer	Matakitaki	13.12.04	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	Complied. On going monitoring
Individual	Hope	010205	Breach of District Plan permitted activity rule (Shelterbelt Setback)	Cease non complying activity by removing shelterbelt	Complied
Developer	Takaka	04.02.05	Unauthorised earthworks in breach of resource consent conditions (subdivision)	Cease any further works and comply with consent.	Complied
Individual	Hope		Unauthorised works & structure in the bed of a stream	Cease work until authorised by consent	Complied
Commercial premises	Hope	11.02.05	Breach of District Plan permitted activity rule (Signage)	Remove unauthorised signage and comply with rule	Complied
Commercial premises	Richmond	11.03.05	Breach of District Plan permitted activity rule (Signage)	Remove unauthorised signage and comply with rule	Complied
Company	Motueka	30.03.05	Breach of consent condition. Gravel extraction	Comply with consent.	Complied
Individual	Richmond	28.04.05	Breach of District Plan permitted activity rule (earthworks)	Comply with rules or seek resource consent	Complied

Recipient	Location	Date	Reason for Notice	Action Required	Outcome
Developer	Richmond	28 04 05	Failure to avoid remedy or mitigate potential adverse effect (subdivision)	Supply plans as required and undertake work	Complied
Developer**	Richmond	29.04.05	Unauthorised discharge of sediment to water	Cease the discharge and prevent further breaches	Complied
Developer	Tasman	05.05.05	Failure to avoid remedy or mitigate potential adverse effect (burning)	Undertake the activity in a manner that does not cause adverse effect	Complied
Individual	Takaka	27.05.05	Breach of District Plan permitted activity rule (home occupation)	Comply with rules or seek resource consent	Resource consent application
Company	Motueka	30.05.05	Breach of consent condition. Gravel extraction	Comply with consent	Consent variation granted
Company	Motueka	30.05.05	Breach of consent condition. Gravel extraction	Comply with consent	On-going
Developer	Richmond	02.05.05	Unauthorised earthworks in breach of resource consent conditions (subdivision)	Cease any further works and comply with consent.	Complied and reports submitted.
Dairy farm	Takaka	20.05.05	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	On going monitoring

Recipient	Location	Date	Reason for Notice	Action Required	Outcome
Dairy farm	Takaka	20.05.05	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	On going monitoring
Dairy farm	Takaka	07.06.05	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	Complied
Individual	Moutere	09.06.05	Breach of district plan permitted activity rule (Shelterbelt)	Comply with rules	Complied
Individual	Wakefield	13 06.05	Unauthorised discharge of stormwater	Cease the discharge	Complied
Individual	Takaka	24 06 05	Breach of District Plan permitted activity rule (earthworks)	Comply with rules or seek resource consent	Complied
Dairy farm	Tapawera area	24.06.05	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	Complied
Dairy farm	Takaka	24.06.05	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	On-going monitoring
Dairy farm	Tapawera area	27.06.05	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	Complied
Dairy farm	Tapawera area	27.06.05	Unauthorised discharge of dairy shed effluent to land where may enter water	Cease the discharge and comply with the permitted activity rules	Complied

- * Joint consent holders
- ** Infringement notices also issued

5.2 Infringement Notices Issued

The RMA allows Council to issue infringement notices for a range of offences as outlined in the Resource Management (Infringement Offence) Regulations 1999. The fines range for \$300 to \$1000 depending on the offence. Council generally issues infringement fines for minor offences that may be better dealt with outside the court process.

This period Council issued 45 infringement notices for a range of activities breaching the RMA, resource consents or abatement notices.

Table 9 Infringement notices issued.

Recipient	Reason for notice	Infringement fee
Individual	Illegal discharge to land may enter water (wastewater)	\$750
Business	Illegal discharge to land may enter water (wastewater)	\$750
Regional authority	Illegal discharge to water (contaminant)	\$750
Company	Illegal discharge to land may enter water (wastewater)	\$750
Company	Illegal discharge to land may enter water (contaminant)	\$750
Business	Breach of TRMP rules (signage)	\$300
Business	Breach of TRMP rules (signage)	\$300
Business	Breach of TRMP rules (signage)	\$300
Business	Breach of TRMP rules (signage)	\$300
Business	Failure to comply with abatement notice	\$750
Developer	Illegal discharge to land may enter water (stormwater)	\$750
Farm	Illegal discharge to land may enter water (contaminants)	\$750
Dairy farm	Illegal discharge to land may enter water (dairy effluent)	\$750
Business	Illegal discharge to land may enter water (contaminants)	\$750

Recipient	Reason for notice	Infringement fee
Company	Illegal discharge to land may enter water (contaminants)	\$1000
Individual	Illegal discharge to land may enter water (household rubbish)	\$750
Dairy farm	Illegal discharge to land may enter water (dairy effluent)	\$750
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300
Individual	Illegal discharge to land may enter water (household rubbish)	\$750
Individual	Illegal discharge to land may enter water (household rubbish)	\$750
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300
Individual	Illegal discharge to land may enter water (household rubbish)	\$750
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300
Individual	Illegal discharge to land may enter water (household rubbish)	\$750
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300
Individual	Illegal discharge to land (household rubbish)	\$300
Individual	Illegal discharge to land (household rubbish)	\$300
Company	Illegal discharge to land may enter water (contaminants)	\$750
Business	Breach of TRMP rules (signage)	\$300
Company	Illegal discharge to water (sediments)	\$750
Regional authority	Disturb bed of river without consent	\$500
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300
Individual	Illegal discharge to land may enter water (household rubbish)	\$750

Recipient	Reason for notice	Infringement fee
Company	Failure to comply with abatement notice	\$750
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300
Developer	Illegal discharge to water (sediments)	\$750
Company	Failure to comply with abatement notice	\$750
Individual	Illegal discharge to land (contaminants)	\$300
Individual	Fail to supply information when required by law	\$300
Company	Failure to comply with abatement notice	\$750
Company	Failure to comply with abatement notice	\$750
Business	Discharge contaminants to air	\$750
Individual	Illegal discharge to land (contaminants – motor vehicle)	\$300

5.3.1 Enforcement Orders.

Enforcement orders are issued by the Environment court upon formal application. While the scope of an enforcement order can be far broader it can seek similar conditions to an abatement notice under the directive of an environment court judge.

No enforcement orders were issued for this period. It needs to be noted that Council has indicated to a number of consent holders that the next step following continuing non-compliance is to proceed to an enforcement order. The benefit of an enforcement order for Council is that it allows the full recovery of costs and elevates the seriousness of the situation.

5.4 Prosecutions

On the 4 November 2004 Hunters 1998 Limited a timber treatment company was fined \$38,000 after pleading guilty in the Nelson environment Court for the illegal discharge of Tri-n-butyl tin (TBT) a highly ecotoxic wood preservative into nearby waterways and estuary. This was the culmination of an investigation by Compliance-Monitoring into ongoing discharges occurring from the company's Beach Road manufacturing site as a result of ineffective management practices. Prosecution was not entered into lightly and only came after several years of compliance work with the company to have the site operate appropriately.

6. ENVIRONMENTAL INCIDENTS

Fonterra Milk Factory Takaka – Factory Fire - 21 June 2005

On the evening of 21 June 2005 Fonterra's Milk Factory at Takaka was the subject of a major fire which destroyed a large part of the plant. This fire presented potential widespread environmental damage due to the large volume of hazardous chemicals on site. These included bulk Sulphuric and Nitric acid, caustic soda, Aqueous Ammonia, diesel, plus smaller volumes of other hazardous materials. While parts of Takaka were evacuated as required during a Hazchem (E) type incident, fire-fighters were able to contain the fire to the extent that no damage occurred to the chemical storage vessels in the bunded areas preventing the escape of any hazardous substances to the environment.

During the fire as fire fighting water began to enter Watercress creek, a tributary of the Motupipi River, the decision was made to dam the stream and recycle the water for fire fighting purposes. A dolomite chip dam was constructed adjacent to the hydrology weir and remained for the duration of the fire and the following day. While some water containing milk products, soot and foams is likely to have escaped into the Motupipi during the operation it is not believed to be of significant volume and much of the water behind the dam was used for fire fighting or subsequently pumped to storage vessels for later disposal. On 22 June the dam was removed and the following day a visual and macro invertebrate study was undertaken in the Motupipi River 20m below the confluence of Watercress Creek. The result of this showed no adverse effect on aquatic ecology. See appendix 3.

Goldpine Industries Flood

In the early hours of Friday, 29 March 2005 heavy rainfall in the Richmond Ranges and particularly the Upper Motueka Catchment saw the Motueka River rise rapidly to what ultimately became a one in 30 year flood event. By mid morning flood waters had breached the stop banks surrounding Goldpine Industries Golden Downs timber treatment plant beside the Motueka River. As a result the site including the CCA treatment plant was inundated with floodwaters. While floodwaters did enter the bunded areas of the treatment pads staff on site contained all CCA solution in their storage vessels and floodwaters captured in the bunded areas were pumped to treatment pressure vessels for storage and ultimate disposal. When Council staff arrived all of the water had been recovered from the treatment pad including approximately 20m³ of potentially contaminated sludge which was to be sent to Chemwaste Christchurch.

The worst affected areas were the treated pole storage area and pole station where timber products had been translocated around the site. The rest of the plant where hazardous materials were stored were not affected including the antisapstain plant, engineering workshops and fuel storage sites although the spill interceptors were inundated possibly resulting in the loss of some diesel fuel. As a result of this last flood Goldpine in consultation with Council have redesigned the stopbanks and further changes have been implemented in the production plants in line with their Hazardous facility and discharge consents.

Works Infrastructure Bitumen Tanker Explosion

On 4 April 2005 Works Infrastructure were resealing a section of State Highway 6 at Hope Saddle when a bitumen trailer parked on the south side overheated which resulted in an explosion that ruptured the tanker at both ends. As a result approximately 4200 litres of bitumen was discharged to the surrounding area. Due to prompt action from workers on site and the locality of the tanker at the time of explosion bitumen was contained before it could enter any waterway or cause any adverse environmental effect.

7. CONCLUSION

7.1 Complaints

In the year ended 30 June 2005 Tasman District Councils Compliance Monitoring Section received and responded to 795 complaints. Of these 75% were related to discharges or land use issues. This was a significant increase on the same period last year and number of complaints received has consistently increased over recent years.

On a regional basis the more urban wards displayed the greatest increase in complaints with both Richmond and Motueka wards seeing large increases on the previous year particularly discharge and land use/disturbance.

Some factors likely to be contributing to these high numbers are:

- Increasing population in the rural areas particularly along the coastal margins and around the traditionally horticultural areas.
- Significant changes in land use and the activities associated with those changes.
- Less tolerance of the general public to adverse environmental activities or breaches.

7.2 Enforcement

In this same period the compliance section issued 44 abatement notices and 45 infringement notices for a broad range of non complying activities or offences. No enforcement orders were sought. One prosecution was completed with sentencing.

Incidents

Three incidents considered significant to the environment occurred over the period although none had any actual adverse environmental effect

8. FUTURE FORECAST

It is envisaged that complaints will continue to increase in this district next year as changing land use patterns, population growth and development along with public awareness of environmental issues continues.

As a result pressure on resources within compliance-monitoring will continue. While improving operation efficiency will assist additional staffing will also be required in order to meet Council objectives and policies. This will be greatly assisted by the budgeted new position focusing on HAZNO and HFSP due to be filled this financial year.

9. RECOMMENDATIONS

1. It is recommended that this report be received.
2. It is recommended that this report provide the basis for a formally published 2004/2005 Annual Environmental and Enforcement Report available to the public.

Carl Cheeseman
Co-Ordinator Compliance Monitoring

APPENDIX 1:
Complaint summary 01/07/04 - 30/06/05 - All districts

Referred to Environment & Planning	Total
Civil - R.O.W.	3
Civil - trees	7
Coastal disturbance	12
Discharge to CMA - chemicals	1
Discharge to CMA - dairy effluent	1
Discharge to CMA - industrial effluent	3
Discharge to CMA - sewerage	4
Discharge to CMA - stormwater	3
Discharge to air - dust	14
Discharge to air - industrial	12
Discharge to air - odours	35
Discharge to air - smoke	88
Discharge to air - spray drift	25
Discharge to land - chemical	14
Discharge to land - dairy effluent	8
Discharge to land - industrial effluent	1
Discharge to land - other	35
Discharge to land - sewerage	24
Discharge to land - stormwater	19
Discharge to water - chemicals	14
Discharge to water - dairy effluent	9
Discharge to water - industrial effluent	6
Discharge to water - other	26
Discharge to water - sewerage	12
Discharge to water - stormwater	8
Groundwater - take water	2
Land Disturbance	22
Land Use - Other	60
Land use - Building	45
Land use - Consent Breach	59
Land use - Home occupation	7
Land use - Quarry/mining	7
Land use - Signage	26
Land use - Tourist ventures	6
Noise - Animal	5
Noise - Machinery	22
Noise - Other	14
Other	12
Rivers/Lakes - structures	5
Rivers/lakes - gravel/sand extraction	3
Rubbish - dumping	62
Safety Hazard	43
Subdivision	3
Surface water - divert water	4
Surface water - take water	4
Total for Environment & Planning	795

APPENDIX 2:
Complaint summary by ward

Golden Bay Ward

Referred to Environment & Planning	Total
Civil - R.O.W.	1
Coastal disturbance	5
Discharge to air - odours	5
Discharge to air - smoke	2
Discharge to air - spray drift	3
Discharge to land - chemical	1
Discharge to land - dairy effluent	1
Discharge to land - other	3
Discharge to land - sewerage	3
Discharge to land - stormwater	1
Discharge to water - dairy effluent	5
Discharge to water - industrial effluent	2
Discharge to water - other	9
Discharge to water - sewerage	4
Land Disturbance	3
Land Use - Other	5
Land use - Consent Breach	8
Land use - Tourist ventures	2
Noise - Machinery	3
Other	1
Rivers/Lakes - structures	3
Rubbish - dumping	6
Safety Hazard	2
Subdivision	1
Surface water - take water	1
<hr/> Total for Environment & Planning	<hr/> 80

Lakes/Murchison Ward

Referred to Environment & Planning	Total
Discharge to air - dust	2
Discharge to air - smoke	2
Discharge to land - chemical	3
Discharge to land - dairy effluent	2
Discharge to land - sewerage	3
Discharge to water - chemicals	4
Discharge to water - dairy effluent	2
Discharge to water - stormwater	2
Land Disturbance	1
Land Use - Other	3
Land use - Consent Breach	1
Land use - Signage	1
Noise - Other	1
Rubbish - dumping	5
Subdivision	1
Surface water - divert water	1
Surface water - take water	1
<hr/> Total for Environment & Planning	<hr/> 35

APPENDIX 3:

Full species list for the sample taken on 23 June 2005

Motupipi River
20 m d/s Watercress Creek

Taxon	MCI Score	23- Jun-05
ODONATA (damselflies)		
Xanthocnemis zelandica	5	C
DIPTERA (true flies)		
Austrosimulium spp.	3	C
Ceratopogonidae	3	R
Chironomus zelandicus	1	R
Empididae	3	R
Hexatomini	5	R
Stratiomyiidae	5	R
TRICHOPTERA (caddisflies)		
Hudsonema amabile	6	C
Oxyethira albiceps	2	R
Polyplectropus puerilis	8	R
CRUSTACEA		
Herpetocypris pascheri	3	VVA
Paracalliope fluviatilis	5	C
MOLLUSCA (snails)		
Gyraulus sp.	3	A
Physa acuta	3	A
Potamopyrgus antipodarum	4	VA
NEMERTEA (proboscis worms)	3	R
Number of taxa		16
# EPT (- oxythira)		2
MCI		78
SQMCI		3.21